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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/723,615

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Craig Baker

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7590

03/02/2005

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EXAMINER

NGUYEN, PHUONGCHI T

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/723,615

Applicant(s)

BAKER ET AL.

Examiner

Phuongchi Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11-20 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

☒ Attachment 2

### DETAILED ACTION

1. Applicant's amendment of December 29, 2004 is acknowledged. It is noted that Claims 1, 11, 12 and 22 are amended. Claims 10 and 21 are canceled. New claims 23-24 are added.

#### *Claim Objections*

2. Claims 1 and 12, the last three lines, it is unclear how the electrical contact spaced from an opening to the interface passage at a distance will prevent the electrical connection between the contact and a conductor at the opening to the passage? Is the interface passage for a mating connector inserted into and electrical connect to the contacts of the connector? To the best understood, the electrical contact is spaced in from an opening to the interface passage at a distance to prevent accidentally an electrical connection between the electrical contact and a conductor at the opening to the interface passage.

#### *Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-5, 7-9, 11-16, 18-20 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Winkler (US3654586).

In regarding to claim 1, Winkler discloses (figure 1) a connector comprising a housing (10); one or more interface passages (24, 26) formed in the housing (10), each of the interface passages (24, 26) having an outer perimeter (circumference of end 24, 26), wherein at least one portion of the outer perimeter (circumference of end 24, 26) is spaced in or spaced out (figure 2) from at least one adjacent portion of the outer perimeter (circumference of end of 24, 26); one or more connector passages (the rear through hole passages connected to interface passage 24, 26, and adjacent ends cable 18, 18') formed in the housing (10), each of the connector passages (the rear through hole passages connected to interface passage 24, 26, and adjacent ends cable 18,

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18') is connected to one of the interface passages (24, 26), and an electrical contact (16) is seated in each of the one or more interface passages (24, 26), is spaced from an opening (30) to each of the interface passages (24, 26), and extends in to the connector passage (the rear through hole passages connected to interface passage 24, 26, and adjacent ends cable 18, 18'); the electrical contact (16) is spaced in from an opening (A) to the interface passage (24, 26) at a distance (B) to prevent (accidentally at first hit) an electrical connection between the electrical contact (16) and a (mating) conductor at the opening (A) to the interface passage (24, 26) (attachment 1).

In regarding to claim 3, Winkler discloses (figure 1) the connector further comprising a pair of the interface passages (24, 26).

In regarding to claim 4, Winkler discloses (figure 1) the connector wherein the outer perimeters (circumference of end 24, 26) of the pair of interface passages (24, 26) are substantially mirror images of each other.

In regarding to claims 5 and 7, Winkler discloses (figures 1 and 2) the connector wherein an intermediary passage (38) connects the pair of interface passages (24, 26).

In regarding to claim 8, Winkler discloses the connector (figure 1) wherein the outer perimeters (circumference of end 24, 26) of the pair of interface passages (24, 26) are substantially identical to each other.

In regarding to claim 9, Winkler discloses the connector (figure 1) wherein each of the interface passages (24, 26) is sized to create a finger proof barrier (because Winkler's connector is similar to Applicant's connector; therefore, Winkler 's connector is also sized to create a finger proof barrier).

In regarding to claim 11, Marin et al discloses the connector (figure 1) wherein a portion of the interface passage (24, 26) spaced in from (an outer perimeter of) an opening (38) to the interface passage (24, 26), and (the outer perimeter of) the opening (38) has a configuration,

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which (smaller) differs from a configuration of the interface passage (24, 26) at (the outer perimeter of) the opening (38), wherein the interface passage (24, 26) is continuous (or through opening) (therefore, the contact 16 is able to connect to the conductor of the cable 18) (column 1, lines 41-42).

In regarding to claim 23, Marin et al further discloses at least one portion of the outer perimeter (circumference of end 24, 26) is of the first configuration.

In regarding to the method of claims 12, 14, 15, 16, 18, 19, 10, 21, 22, and 24, the method of forming a device is not germane to the issues of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

5. Claims 1-3, 6, 12-14 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Gerberding (US6383032B1).

In regarding to claim 1, Gerberding discloses (figure 1) a connector comprising a housing (10); one or more interface passages (20) formed in the housing (10), each of the interface passages (20) having an outer perimeter (circumference of 20), wherein at least one portion of the outer perimeter (circumference of 20) is spaced in or spaced out (figure 1) from at least one adjacent portion of the outer perimeter (circumference of 20); one or more connector passages (the rear through hole passages connected to interface passage 20, and adjacent to the rear end where contact located) (figure 5) formed in the housing (10), each of the connector passages (the rear through hole passages connected to interface passage 20, and adjacent to the rear end where contact located) is connected to one of the interface passages (20), and an electrical contact (rectangular dot line in figure 5) is seated in each of the one or more interface passages (20), is spaced from an opening (adjacent to 30) to each of the interface passages (20), and extends in to the connector passage (the rear through hole passages connected to interface passage 20, and adjacent to the rear end where contact located).

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In regarding to claim 2, Gerberding discloses the connector wherein multiple portions of the outer perimeter (circumference of 20) are spaced in or spaced out from a portion of the outer perimeter (circumference of 20) adjacent each of the multiple portions (figure 5).

In regarding to claim 3, Gerberding discloses the connector further comprising a pair of the interface passages (20, 20).

In regarding to claim 6, Gerberding discloses the connector wherein the outer perimeters (circumference of 20) of the pair of interface passages (20 right, 20 left) are different each other (figure 2).

In regarding to the method of claims 12, 13, 14 and 17, the method of forming a device is not germane to the issues of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

### ***Response to Arguments***

6. Applicant argues that Winkler ...does not have “the electrical contact is spaced in from an opening to the interface passage at a distance to prevent an electrical connection between the electrical contact and a conductor at the opening to the interface passage” is not deemed persuasive; because Winkler have the electrical contact (16) is spaced in from an opening (A) to the interface passage (24, 26) at a distance (B) to prevent (accidentally at first hit) an electrical connection between the electrical contact (16) and a (mating) conductor at the opening (A) to the interface passage (24, 26) (attachment 1).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

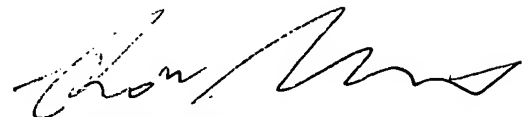
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchi Nguyen whose telephone number is (571) 272-2012. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PCN

February 26, 2005



**ROSS GUSHI**  
**PRIMARY EXAMINER**